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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/241,413 02/02/99 SONG

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EXAMINER

KOSTAK, V

ART UNIT

PAPER NUMBER

2611

DATE MAILED:

04/19/01

Please find below and/or attached an Office communication concerning this application or proceeding.

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Art Unit: 2611



UNITED STATES DEPARTMENT OF COMMERCE  
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Washington, D.C. 20231

**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Paper No. 13

Application Number: 09/241,413

Filing Date: 02/02/99

Appellant(s): Song

**Mailed**

**APR 19 2001**

**Technology Center 2600**

\_\_\_\_\_  
Gary D. Yacura  
For Appellant

**EXAMINER'S ANSWER**

This is in response to appellant's brief on appeal filed 02/15/01.

**(1) *Real Party in Interest***

A statement identifying the real party in interest is contained in the brief.

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**(2) *Related Appeals and Interferences***

The brief does not contain a statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief. Therefore, it is presumed that there are none. The Board, however, may exercise its discretion to require an explicit statement as to the existence of any related appeals and interferences.

**(3) *Status of Claims***

The statement of the status of the claims contained in the brief is correct.

**(4) *Status of Amendments After Final***

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

The amendment after final rejection filed on 11/20/00 has been entered.

**(5) *Summary of Invention***

The summary of invention contained in the brief is correct.

**(6) *Issues***

The appellant's statement of the issues in the brief is correct.

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**(7) *Grouping of Claims***

Appellant's brief includes a statement that claims 4, 24-27, 29 and 31 do not stand or fall together and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

**(8) *Claims Appealed***

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(9) *Prior Art of Record***

The following is a listing of the prior art of record relied upon in the rejection of claims under appeal.

5,914,753

DONOVAN

6-1999

**(10) *Grounds of Rejection***

The following ground(s) of rejection are applicable to the appealed claims:

Claims 4, 24-27, 29 and 31 stand finally rejected under 35 U.S.C. 102(e). This rejection is set forth in prior Office action, Paper No. 7. (The issues under 112 2nd paragraph have been resolved by the after-final amendment).

**(11) *Response to Argument***

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The examiner emphasizes that his explanations and referencing to specific sections of Donovan are adequate in maintaining the rejection as it stands. Appellant's continued complaint that the examiner fails to allude to exact text and to provide exhaustive discussion addressing the claimed features is groundless, as evident from prosecution history. The Tables which appellant refers to in Donovan counter his arguments since Donovan list the pixel clocks *required* for achieving the respective displays of the selected converted formats.

Besides the examiner's specific explanations, appellant fails, for example, to recognize that timing control is inherently *necessary* for providing overall system and specific component operation, and for ultimately providing a continuously intelligible image *in any image presentation system* (not just in Donovan). Such is reason enough for anyone like Donovan not to exhaustively describe the hardware required therefor. That goes for a variety of features, including power supply and distribution, signal level control, component isolation, component compensation (such as gamma and CRT burnout), and even logistics.

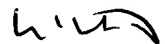
Similarly, appellant refuses to accept that Donovan's explicit provision of scaling ratios (for converting various video parameters) *requires* numerator/denominator factors. Again, appellant insists a lack of correlation but the examiner provides specific reference in Donovan for support. The Tables referred to by appellant showing the scaling ratios *clearly* include both numerators and denominators, which again counters his argument. Appellant argues, for whatever reason, that Donovan does not provide circuitry enabling such. If this is the case, then Donovan does not provide the conversion he discloses.

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Appellant also complains about an alleged "shorthand" rejection to his newly recited claims, but fails to admit that these claims are merely redrafted original claims (and broader, in some instances), which of course are very parallel to, rather than wholly descriptive of, a new invention. The examiner accordingly addressed these claims as dictated, as was done to the original claims, and as evident in the final rejection.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

  
VICTOR R. KOSTAK  
PRIMARY EXAMINER

VRK  
April 18, 2001



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